



09-28-06

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PTO/SB/21 (09-04)

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

	Application Number	10/633,985	
	Filing Date	08/04/2003	
	First Named Inventor	KARPOV, Inna	
	Art Unit	1616	
	Examiner Name	S. Gollamudi	
Total Number of Pages in This Submission	72	Attorney Docket Number	SC06082US01

### ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Postcard; (6) References
<input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> Remarks
<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request		
<input checked="" type="checkbox"/> Information Disclosure Statement		
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Customer No: 24265		
Signature			
Printed name	MATTHEW J. GOLDEN		
Date	09/27/2006	Reg. No.	35,161

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04)

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 180.00)

**Complete if Known**

Application Number	10/633,985
Filing Date	08/04/2003
First Named Inventor	KARPOV, Inna
Examiner Name	S. Gollamudi
Art Unit	1616
Attorney Docket No.	SC06082US01

**METHOD OF PAYMENT** (check all that apply)

Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_

Deposit Account Deposit Account Number: 19-0365 Deposit Account Name: \_\_\_\_\_

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below  Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayments of fee(s)  Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Small Entity
- 20 or HP =	x	=			
HP = highest number of total claims paid for, if greater than 20					

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Small Entity
- 3 or HP =	x	=			
HP = highest number of independent claims paid for, if greater than 3					

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x		=
				<u>Fees Paid (\$)</u>

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other: IDS \$180.00**SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	35,161	Telephone	908-298-4741
Name (Print/Type)	MATTHEW J. GOLDEN			Date	09/27/2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): KARPOV, Inna : Group Art Unit: 1616  
Application No.: 10/633,985 : Examiner: S. Gollamudi  
Filed: 08/04/2003 :  
For: EMULSION COMPOSITION : Atty. Docket No. : SC06082US01

X

**INFORMATION DISCLOSURE STATEMENT TRANSMITTAL**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Mail Stop: Amendment  
Sir:

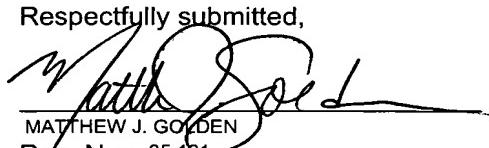
(a) Pursuant to the duty of disclosure under 37 C.F.R. § 1.56, it is requested that the documents listed on the accompanying Forms PTO/SB/08a & 08b be considered and made of record in the above-identified patent application. Other than cited U.S. patents and published patent applications, copy(ies) of these documents  are enclosed  were filed in related U.S. Application No(s) \_\_\_\_\_ filed \_\_\_\_\_ respectively. Since the Examiner is believed to have ready access to the cited U.S. patents and published patent applications, copies of these documents are not herewith transmitted, but will be provided upon request.

(b) No fee is believed to be due because:

- This Information Disclosure Statement is being submitted concurrently with the filing of the above-identified application; or
- This Information Disclosure Statement is being submitted within three (3) months of the filing date of the above-identified application; or
- This Information Disclosure Statement is being submitted concurrently with a Request for Continued Examination (RCE); or
- This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits.

(c)  This Information Disclosure Statement is being submitted before the mailing date of any final action, notice of allowance, or an action that otherwise closes prosecution; and:

- Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or

- No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; or
  - The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.
- (d)  This Information Disclosure Statement is being submitted on or before the payment of the issue fee; and:
- Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
  - No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c), more than three months prior to the filing of this Information Disclosure Statement; and
  - The Commissioner is hereby authorized to charge the requisite fee listed on the attached Fee Transmittal Sheet.
- The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-0365.
- The submission of these documents is not to be presumed as an admission that these documents are prior art. The documents are being furnished solely for their possible utility in the examination of the present case.
- Respectfully submitted,
- By:   
MATTHEW J. GOLDEN  
Reg. No.: 35,164  
**Attorney of Record**  
Telephone No.: 908-298-4741
- Dated: 09/27/2006  
**Schering-Plough Corporation**  
Patent Department, K-6-1, 1990  
2000 Galloping Hill Road  
Kenilworth, NJ 07033-0530  
Facsimile No.: (908) 298-5388



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Substitute for form 1449A/PTO

## **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

*(Use as many sheets as necessary)*

Sheet

1

1

5

*Complete if Known*

Application Number	10/633,985
Filing Date	08/04/2003
First Named Inventor	KARPOV, Inna
Art Unit	1616
Examiner Name	S. Gollamudi
Attorney Docket Number	SC06082US01

## U. S. PATENT DOCUMENTS

## **FOREIGN PATENT DOCUMENTS**

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	AA	EP 1 036 553 A2	09/20/2000			
	AB	EP 0 839 518 A2	05/06/1998			
	AC	EP 0 919 222 A1	06/02/1999			
	AD	EP 1 435 230 A2	07/07/2004			
	AE	EP 1 421 931 A2	05/26/2004			

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

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PTO/SB/08b (08-03)

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Substitute for form 1449B/PTO				<b><i>Complete if Known</i></b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<i>Application Number</i>	10/633,985
				<i>Filing Date</i>	08/04/2003
				<i>First Named Inventor</i>	KARPOV, Inna
				<i>Art Unit</i>	1616
				<i>Examiner Name</i>	S. Gollamudi
<i>(Use as many sheets as necessary)</i>					
Sheet	2	of	2	<i>Attorney Docket Number</i>	SC06082US01

#### **NON PATENT LITERATURE DOCUMENTS**

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: **Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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